

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ERUBY ABREGO,)	Case No. 23-cv-01740
)	
Plaintiff,)	Hon. Steven C. Seeger
)	District Judge
v.)	
)	
REYNALDO GUEVARA, et al.)	
)	JURY TRIAL DEMANDED
Defendants.)	
)	

MOTION FOR EXTENSION OF TIME TO SERVE DEFENDANT ENGEL

Plaintiff Eruby Abrego, by his attorneys, respectfully requests a 30-day extension of time to complete service upon Defendant Daniel Engel. In support, Plaintiff states as follows:

1. On March 21, 2023, Plaintiff filed his Complaint in the above-captioned action which named ten Defendants: Reynaldo Guevara, Geri Lynn Yanow, as administrator of the Estate of Ernest Halvorsen, Anthony Wojcik, Daniel Engel, Jerome Bogucki, Ray Schalk, Frank Cappitelli, the City of Chicago, Andreana Turano Michiels, and Cook County. Dkt. 1.

2. As noted in the Parties' Joint Statement, all Defendants have been served except for Defendants Engel, Halvorsen and Capitelli. Dkt. 44 at 4.

3. Capitelli and Halvorsen are deceased, and so they are not yet parties to the case. Plaintiff intends to file a motion for appointment of a special representative to defend the case in the place of those deceased defendants.

4. Plaintiff searched for Engel using multiple public records databases including Westlaw Public Records, Locate Plus, and Google, from which he found an accurate address. Plaintiff has attempted to serve Engel at his address but learned that Engel is out of town and the date of Engel's return is unknown.

5. Fed. R. Civ. P. 4(m) provides that the Court "must extend the time for service for an appropriate period" where "the plaintiff shows good cause" for failing to complete service within the initial 90 days. "Good cause means a valid reason for delay." *Coleman v. Milwaukee Bd. of Sch. Directors*, 290 F.3d 932, 934 (7th Cir. 2002).

6. Currently, the period for completing service expires on June 19, 2023,

7. Plaintiff respectfully submits that Plaintiff's diligent but unsuccessful efforts to serve Defendant Engel constitute good cause for an extension of time to complete service.

8. Therefore, Plaintiff requests a 30-day extension of time in order to ensure sufficient time to finalize service.

9. Extending the deadline to complete service on Defendant Engel will not delay the progress of the case in any other respect, nor will it prejudice any Party. The extension is necessary to ensure that Plaintiff's claims are resolved on the merits. This is the first time that Plaintiff has requested an extension of time to serve any Defendant.

WHEREFORE Plaintiff respectfully requests that the Court extend the deadline for service for Defendant Engel, by 30 days, up to and including July 19, 2023.

RESPECTFULLY SUBMITTED,

ERUBY ABREGO

By: /s/ Renee Spence
One of Plaintiff's Attorneys

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CERTIFICATE OF SERVICE

I, Renee Spence, an attorney, certify that on June 15, 2023, I filed the foregoing document using the Court's CM/ECF system, which effected service on all counsel of record.

/s/ Renee Spence
One of Plaintiff's Attorneys